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Promotion and protection of the rights of children

Report of the Special Representative of the Secretary-General for Children and Armed Conflict

Summary

The present report is submitted to the General Assembly pursuant to its resolution 70/137 on the rights of the child, in which it requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda. The report covers the period from August 2015 to July 2016 and describes current trends; it also reflects on the 20 years since the Assembly, by its resolution 51/77, created the children and armed conflict mandate. In addition, the report provides information on the field visits of the Special Representative, on her engagement with regional organizations and international partners, and on dialogue with parties to conflict, which includes an update on the "Children, not soldiers" campaign. It outlines a number of challenges and priorities on her agenda and concludes with a set of recommendations to enhance the protection of children affected by conflict.

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I. Introduction

1. In its resolution 70/137, the General Assembly requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to it and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda. The request stemmed from the mandate given by the Assembly in its resolution 51/77, in which it recommended, inter alia, that the Special Representative raise awareness and promote the collection of information about the plight of children affected by armed conflict and foster international cooperation to ensure respect for children's rights in these situations. In line with that mandate, and as requested by the Assembly in its resolution 70/137, the present report provides an update on the "Children, not soldiers" campaign. It also highlights progress made over the past year and outlines the immediate priorities, as well as a longer-term vision, to advance the children and armed conflict agenda in collaboration with States Members of the United Nations, United Nations entities, regional and subregional organizations and civil society.

II. Taking stock of the children and armed conflict agenda

A. Overview of trends and challenges

2. The Special Representative will submit the present report to the General Assembly 20 years after the adoption of resolution 51/77, by which it created the children and armed conflict mandate. The twentieth anniversary of the mandate provides an opportunity to take stock of the many achievements and to highlight areas where progress is still required. In the ground-breaking report by Graça Machel on the impact of conflict on children (A/51/306), which was presented to the Assembly in 1996, she described the extreme brutality to which millions of children caught up in conflicts were exposed and demonstrated the centrality of the issue to the international human rights, development and peace and security agendas.

3. While there has been substantial progress in the last two decades, as outlined in this report, serious challenges for the protection of children affected by armed conflict continued in the second half of 2015 and in early 2016. The intensity of grave violations increased in a number of situations of armed conflict. The proliferation of actors involved in armed conflicts was a particular concern. Cross-border aerial operations conducted by international coalitions or individual Member States, especially in populated areas, resulted in highly complex environments for the protection of children. The impact on children of the collective failure to prevent and end conflict is severe, with regions in turmoil and violations against children intensifying in a number of conflicts. The violations are directly related to the denigration of respect for international humanitarian and human rights law by parties to conflict.

4. Protracted conflicts have had a substantial impact on children. In the Syrian Arab Republic, according to the Special Envoy for Syria, the conflict has caused the deaths of more than 400,000 people, including thousands of children. In

Afghanistan in 2015, the highest number of child casualties was recorded since the United Nations began systematically documenting civilian casualties in 2009. In Somalia, the situation continued to be perilous for children: the number of recorded violations showed no signs of abating in 2016, with many hundreds abducted, recruited, used, brutally killed and maimed. In a most troubling example, in South Sudan, children were victims of all six grave violations, in particular during brutal military offensives against opposition forces. The deterioration of the situation in July 2016 is of particular concern for the plight of children. In Iraq, intensive armed clashes and attacks targeting civilians by Islamic State in Iraq and the Levant have led to the death of thousands of civilians, including many children. In Yemen, the escalation of conflict has continued, with alarming levels of child recruitment, killing and maiming of children and attacks on schools and hospitals.

B. Emerging issues and challenges

Attacks on health care and protected personnel

5. The General Assembly has recognized that attacks upon medical and health personnel result in the loss of life and human suffering, weaken the ability of health systems to deliver essential life-saving services and produce setbacks for health development. Numerous attacks on medical facilities, including aerial bombardment, have heightened concerns about the protection of health care in conflict in recent months. However, hospitals, doctors, nurses, ambulances and patients have long suffered from acts that challenge the most basic principles of international humanitarian law.

6. Almost half of all medical facilities in the Syrian Arab Republic are closed or only partially functioning. In Aleppo, there have been a number of air strikes on hospitals in the last six months, and children living there are confronted with the almost impossible task of obtaining basic health care in order to survive. In May, a Syrian doctor wrote in response to one attack that what was most heart-breaking was the need for doctors to choose which patients to save because there were not enough doctors to treat everyone; their hospitals, though they were the targets of bombs, still overflowed with the sick and injured.[1] In Afghanistan, the attack on the Médecins sans frontières hospital in Kunduz in October 2015 caused deaths and injuries of 49 medical staff. The hospital was the only fully functioning trauma care facility for the north-eastern region of Afghanistan and had provided lifesaving procedures to 5,000 people in the period running up to the attack. In Yemen, to give one example, in Taiz, three health facilities were repeatedly hit in 23 separate incidents throughout 2015.

7. Parties to conflict must consider the long-term impact of attacks on health care. When a community is recovering from conflict it can take decades to reinstall skilled doctors, nurses, and the physical infrastructure to provide health care. Even a short period of hostilities can have a lasting impact, in particular because efforts to repair damage from attacks are sorely lacking.

8. Governments bear the primary responsibility for protecting civilians, and all parties to conflict must refrain from attacking civilian objects. Governments should adopt clear legislation and issue orders to their security forces to protect hospitals,

[1] Osama Abo El Ezz, "In Aleppo, we are running out of coffins", *The New York Times* (4 May 2016).

doctors and patients. It is equally important that parties to conflict emphasize that hospitals are neutral civilian spaces and that medical personnel should be free to treat all wounded persons in line with medical ethics and without fear of repercussions.

9. Training must be at the core of prevention efforts. Parties to conflict should develop specific child protection training modules, including outlining the responsibilities under international humanitarian law regarding hospitals, medical personnel and patients, and conduct training sessions and closely monitor awareness of laws and procedures. Precautionary measures for military operations must also be put in place, and the human cost of military actions should always be considered. Even in circumstances in which acts do not amount to international crimes, the civilian costs are nearly always too high; parties to conflict should refrain from engaging in combat and using explosive weapons with a wide impact in populated areas. To make these assessments, mechanisms can be put in place such as establishing a review board composed of military and civilian experts to act as an internal oversight mechanism on the conduct of operations.

10. All incidents must be investigated promptly and effectively, as ending impunity for attacks on health care is the best way to prevent their recurrence. Member States should investigate incidents, in a timely and transparent manner, and punish those responsible. Putting remedial measures in place is also a necessary element of accountability. When attacks have taken place, Governments should ensure that they mitigate the impact by repairing damage, clearing military hazards, providing emergency medical care and establishing safe routes and alternative medical facilities.

11. The international community has an important role to play in promoting accountability, protection and prevention. In resolution 69/132 on global health and foreign policy, the General Assembly urged Member States to protect, promote and respect the right to the enjoyment of the highest attainable standard of health, in accordance with obligations under relevant provisions of international human rights law. Similarly, the Security Council, in resolution 2286 (2016), demanded that all parties to armed conflict comply fully with their obligations under international law. The provisions set out in resolution 2286 (2016) complement those contained in Assembly resolutions relating to the children and armed conflict mandate to monitor and report on attacks on hospitals and schools.

12. The protection of health care is also a key element of Goal 3 of the Sustainable Development Goals (General Assembly resolution 70/1). Initiatives to implement the Goals must include specific provisions for children affected by armed conflict. In that regard, the Special Representative welcomes the launch of the Charter on Inclusion of Persons with Disabilities in Humanitarian Action at the World Humanitarian Summit. The initiative will help to ensure that the many children who are permanently disabled during conflict, sometimes purely as a result of the lack of basic medical services to treat minor conditions, are not forgotten.

13. The protection of health care from attack is vital and the primary responsibility for upholding international humanitarian law lies with parties to conflict. The United Nations can support such efforts, but cannot make up for the lack of political will to comply with basic legal obligations. Clear and concrete actions are required; the Security Council, in its resolution 1998 (2011), called upon the parties listed in the annexes to the report of the Secretary-General on children and armed conflict that commit recurrent attacks on schools and/or hospitals and recurrent attacks or

threats of attacks against protected persons in relation to schools and/or hospitals, in situations of armed conflict, to prepare concrete time-bound action plans to halt those violations and abuses. The Special Representative urges listed parties to heed the Council's request and enter into dialogue with the United Nations regarding an action plan. Other parties to conflict should also take the necessary measures to protect schools and hospitals.

Displacement of children as a result of armed conflict

14. Armed conflict has resulted not only in human casualties and physical destruction, but also in forced displacement. Over the course of the past year, an ever-growing number of people have fled armed conflict and sought refuge. The most recent estimates by the Office of the United Nations High Commissioner for Refugees indicate that an unprecedented 65.3 million people around the world have been forced from their homes. Among them are nearly 21.3 million refugees, over half of whom are under the age of 18. In addition, unaccompanied or separated children submitted 98,400 asylum requests in 2015, most of whom were from conflict-affected countries, which is the largest number ever recorded. Displacement has a critical impact on children, since parties to conflict take advantage of the vulnerability and concentration of displaced populations to recruit children in camps and commit other violations, such as abduction, sexual violence, forced marriage and human trafficking.

15. The international community and countries of origin, transit and destination should take all feasible measures to protect the rights of refugee and internally displaced children affected by armed conflict. The need for more equitable sharing of responsibilities is also clearly evident, as 90 per cent of all refugees are hosted in developing countries in close proximity to conflict areas. In September 2016, the General Assembly will host a high-level meeting to address large movements of refugees and migrants, with the aim of bringing countries together behind a more humane and coordinated approach. In line with other United Nations partners, the Special Representative emphasizes that the fundamental principles of the best interests of the child and non-discrimination should be given primary consideration at the meeting and in the development of all relevant policies on internally displaced and refugee children. In particular, the institution of asylum needs more than ever to be respected, preserved and reinforced, particularly in relation to children.

16. One focus of the high-level meeting should be to highlight the responsibility of all States to ensure appropriate protection for all displaced children, to avoid aggravating their vulnerability, through equal access to health care, education and psychosocial support. The Special Representative communicated those messages to Member States at an informal meeting of the General Assembly, held in November 2015, to consider ways to advance a comprehensive response to the global humanitarian and refugee crisis. In December 2015, she attended the annual Dialogue on Protection Challenges organized by the Office of the United Nations High Commissioner for Refugees in Geneva, and advocated for children displaced by armed conflict.

17. In regard to education, as the Secretary-General noted in his report on addressing large movements of refugees and migrants (A/70/59), with millions of children currently out of school the promise made by the General Assembly one year ago to leave no one behind in implementing the Sustainable Development

Goals risks becoming a meaningless cliché. The Special Representative echoes the Secretary-General's message that primary education should be compulsory and available to all refugee children, and that educational opportunities should be expanded. In that regard, a key achievement of the World Humanitarian Summit was the launch of the Education Cannot Wait Fund. On 23 May 2016, the Special Representative attended an event by the Global Business Coalition for Education during which the private sector announced its intention to mobilize $100 million for the Fund in financial and in-kind contributions. The Special Representative encourages Member States and other partners to further support initiatives aimed at helping displaced children to rebuild their lives.

18. While protecting displaced children and providing for health care and education are important steps, it is clear that strong leadership is needed by Member States to end conflict and create conditions conducive to sustainable return. Increased efforts should be made to identify long-term solutions that will mitigate the root causes and structural factors of displacement, provide support to displaced children and ensure family reunification, keeping in mind the best interests of the child. Only when children are reunited with their families, in a safe environment and with access to basic services, will they be able to flourish and fully contribute to the future of their society.

Protection challenges posed by violent extremism

19. During the reporting period, children continued to be severely affected by violent extremism and were often the direct targets of acts intended to cause maximum civilian casualties and terrorize communities. The recruitment and use of children was a prevalent concern, with armed groups controlling large swaths of territory, leaving many civilians without Government protection and resulting in children being abducted and forcibly recruited. The conduct of Government forces and their allies when retaking territory can also be a significant factor in the recruitment and use of children, since abuses and human rights violations can create or add to real or perceived grievances in the affected population as well as forcing civilians, including children, to seek protection from other parties to conflict. Social media also continues to be used for purposes of propaganda and to encourage recruitment of children, particularly outside areas affected by conflict.

20. In addition to recruitment, security responses by Member States, in particular during military operations, have also directly and indirectly affected children. The increased proliferation of airstrikes is of particular concern for the protection of children owing to the high number of civilian casualties. When responding to extreme violence, Member States should ensure that their rules of engagement take into account that a large number of children are associated with those groups and may have been placed on the front line, either in combat or as human shields. The Special Representative continues to emphasize that efforts to counter violent extremism must be carried out in full compliance with international humanitarian, human rights and refugee law. Failure to abide by these obligations only worsens the suffering of the civilian population.

21. As noted in the Special Representative's previous report to the General Assembly (A/70/162), children encountered in security operations are often treated systematically as security threats rather than victims. Increasingly, large numbers of children are being systematically arrested and detained in counter-terrorism

operations for their alleged association with parties to conflict. Detention has also been employed as a tactic to recruit and use children as spies and for intelligence-gathering purposes, which puts them at serious risk. The detention of children should always be a last resort, for the shortest time possible and guided by the best interests of the child. If they are accused of a crime during their association with armed groups, children should be processed by the juvenile justice system rather than military courts, which frequently fail to apply the relevant juvenile justice standards and due process. Of greatest concern are reports that children allegedly associated with non-State armed groups have been sentenced to death, notwithstanding the stipulation under the Convention on the Rights of the Child that capital punishment or life imprisonment without the possibility of release may not be imposed on juvenile offenders.

22. All too often counter-terrorism strategies are implemented without regard for the long-term effects the policies may have. Prolonged detention is not only detrimental to the development of the child, who misses out on crucial years of education, but also for society as a whole. The effective reintegration of children who are allegedly associated with non-State armed groups must be the primary response since it is essential for their well-being and to ensure long-term peace and security. These children should be primarily treated as victims, as the majority have suffered ill treatment and violations. The Special Representative calls upon Member States to develop operating procedures to expeditiously hand over children who are captured or who surrender in the course of military operations to child protection actors to reintegrate them into their communities. Upon return, such children are often stigmatized, and sufficient resources should be allocated for their reintegration. Resources and assistance should also be given to the receiving communities to support reintegration efforts.

23. Throughout the reporting period, the Special Representative continued to remind Member States of their obligations under international law, in particular during addresses to the General Assembly and the Security Council. In October 2015, she participated in the sixth high-level retreat on the promotion of peace, security and stability in Africa, convened by the African Union, on the theme "Terrorism, mediation and non-State armed groups". On the margins of the International Forum on Peace and Security in Africa, held in Dakar in November 2015, the Special Representative met with the newly appointed National Security Adviser of Nigeria, who expressed interest in working to improve the protection of children separated from Boko Haram. During the same event, she met with the Force Commander of the Multinational Joint Task Force and advocated for enhanced protection of children in Task Force operations against Boko Haram.

24. During the reporting period, the Office of the Special Representative also joined the Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism of the Counter-Terrorism Implementation Task Force, with the aim of further mainstreaming the protection of children. The Special Representative will continue contributing to the dialogue and work of the General Assembly, Security Council and Human Rights Council and of the Secretary-General regarding violent extremism in the coming year to ensure that the protection of children is a priority in national, regional and international responses. In that regard, the Special Representative urges the Assembly to prioritize the protection of children and to take into account the above-mentioned elements in the upcoming review of the United Nations Global Counter-Terrorism Strategy.

III. Dialogue, commitments and action plans with parties to conflict

A. Reflections on 20 years of the children and armed conflict mandate

25. The 1996 report to the General Assembly by Graça Machel on the impact of conflict on children and resolution 51/57 were catalysts for action to improve the protection of children affected by conflict. In accordance with the recommendations of the report and the resolution, the Secretary-General named a Special Representative to strengthen child protection mechanisms, foster international cooperation and give children affected by war a voice. The three Special Representatives who have been appointed have sought ways to translate international standards into commitments that can make a tangible difference in the fate of children.

26. The Security Council, in its resolution 1261 (1999), added its support to the efforts of the General Assembly, recognizing children and armed conflict as a peace and security issue and identifying and condemning grave violations against children. During the last 17 years, the Council has created practical instruments designed to work in complementarity with the mandate of the Assembly to address such violations. In its resolution 1379 (2001), the Council requested the Secretary-General to attach to his report on the protection of children in armed conflict a list of parties that recruited or used children. By its resolution 1612 (2005) the Council established a monitoring and reporting mechanism on children and armed conflict, and underlined the fact that the mechanism was to collect and provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict. In recent years, in the light of progress made in addressing recruitment and use of children, four more grave violations against children have been identified as triggers for listing in the annual report of the Secretary-General. The United Nations was also asked to engage in dialogue with listed parties to develop action plans to end and prevent grave violations. To date, 25 action plans have been signed with parties to conflict, and nine parties have completed their action plans and have been delisted from the annexes of the annual report of the Secretary-General.

27. Since 2000, more than 115,000 children associated with parties to conflict have been released as a result of coordinated dialogue and awareness-raising by the United Nations. Most importantly, the advocacy generated by the mandate has brought about a global consensus among Member States that children should not be recruited and used in conflict. That achievement has been consolidated by the "Children, not soldiers" campaign. The majority of non-State armed groups listed are active in the countries where government forces are concerned by the campaign. The campaign's momentum has led to the development of stronger frameworks for the protection of children in the majority of those countries. Engagement has contributed to over 8,000 children being separated from non-State armed groups in 2015 alone.

28. This progress in addressing recruitment and use over the last 20 years, which would not have been achieved without the strong support of the General Assembly

and the instruments put in place by the Security Council, has been built upon and utilized in work to reduce other grave violations. Rape and other forms of sexual violence against children is a central concern in the majority of situations of armed conflict. There is a developing consensus among Member States that sexual violence against children must be stopped, and progress has been made in recent years in the area of accountability, particularly in Colombia and the Democratic Republic of the Congo. Progress has also been made in highlighting the impact of attacks on schools and hospitals, although attacks still continue at alarming levels. A prominent recent development in protecting schools and hospitals are the collective advocacy efforts, on the basis of such Assembly initiatives as the right to education in emergency situations (see resolution 64/290), to convince parties to conflict that using schools in conflict is unacceptable. The development of the Safe Schools Declaration, which had been endorsed by 54 Member States at the time of writing in July 2016, is an important development in this regard.

B. Update on the "Children, not soldiers" campaign

29. During the reporting period, the "Children, not soldiers" campaign continued to demonstrate that a listing in the annexes of the report of the Secretary-General on children and armed conflict is a call for action that will lead to concrete improvements for the protection of children. In a notable advance, in March 2016, the emerging global consensus that children do not belong in security forces in conflict was consolidated by the signature of an action plan with the Government of the Sudan to end and prevent the recruitment and use of children by its security forces.

30. The political support generated by the campaign from Member States, regional organizations and civil society remained strong during the period, and commitment by Governments led to a significant reduction in verified cases of recruitment and use of children by national security forces, especially in Afghanistan, the Democratic Republic of the Congo, Myanmar and the Sudan.

31. The Government of Afghanistan endorsed age assessment guidelines for use in recruitment processes and expanded child protection units in national police recruitment centres. In accordance with the Myanmar joint action plan, in 2015, 146 former child soldiers were released and reintegrated from Government forces into their communities. In September 2015, Myanmar signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.[2] The Democratic Republic of the Congo made substantial progress, and in September 2015, the Minister of Defence endorsed a road map outlining pending activities for the full implementation of the action plan.

32. Despite the positive developments, gaps remain in all countries concerned by the campaign, including, as outlined in the report of the Secretary-General on children and armed conflict (see A/70/836-S/2016/360 and Add.1), gaps in the systematic prevention of and accountability for the recruitment and use of children.

33. Progress in Somalia remains limited, and South Sudan and Yemen have suffered serious setbacks. Those situations illustrate how relapse into conflict and

[2] United Nations, *Treaty Series*, vol. 2173, No. 27531.

ongoing instability can lead to dramatic increases in grave violations committed against children. Efforts must continue in such situations to prioritize conflict prevention and resolution.

34. During the campaign's final year, in addition to enhanced efforts by the United Nations, additional support from the international community is needed to bring about the lasting change envisioned by the campaign.

C. Addressing grave violations by non-State armed groups

35. The Special Representative continued participating in direct dialogue and providing high-level support to United Nation engagement with non-State armed groups. The interactions took place in the context or as a result of peace processes in the Central African Republic, Colombia, Mali, Myanmar, the Philippines, South Sudan and the Sudan.

Current engagement

36. During the reporting period, engagement by the United Nations with non-State armed groups resulted in concrete commitments including the signature of one action plan. The support from national authorities remains important for fruitful engagement with non-State armed groups.

37. Dialogue in the Central African Republic has facilitated the separation of over 2,800 children from anti-balaka and Révolution et justice as well as discussions to develop written commitments on ending grave violations against children with a number of ex-Séléka factions. In Mali, the Mouvement national de libération de l'Azawad and its coordinating body — the Coordination des mouvements de l'Azawad — began discussions regarding an action plan aimed at ending and preventing the recruitment and use of children and other grave violations, although the document had not been finalized at the time of writing in July 2016.

38. In Myanmar, discussions with the Karenni National Progressive Party/Karenni Army advanced, and the group signalled its readiness to sign an action plan to end and prevent the recruitment and use of children. The Executive Committee of the Kachin Independence Organisation/Kachin Independence Army invited the United Nations Children's Fund (UNICEF) to participate in a workshop on ending child recruitment, which led to the identification of gaps in internal procedures regarding child recruitment and a commitment to revise their code of conduct. Finally, the Karen National Union/Karen National Liberation Army signalled its readiness to enter into discussions with the United Nations on the issue of child recruitment. The Government should facilitate the development of action plans with those groups to make progress on protecting children and ending their recruitment.

39. In the Philippines, the Moro Islamic Liberation Front/Bangsamoro Islamic Armed Forces worked on implementing their action plan and achieved significant progress. In an encouraging development, the United Nations was also able to re-engage with the National Democratic Front of the Philippines/New People's Army on their declaration and programme of action for the rights, protection and welfare of children.

40. In South Sudan, in January 2016, the Sudan People's Liberation Movement/Army-In Opposition signed an action plan to end and prevent the recruitment and

use of children under the age of 18 and to ensure their release to child protection actors. The action plan also covers sexual violence against children. At the time of writing in July 2016, no effective action had been taken by the group to implement the action plan.

41. In the Sudan, the Special Representative met with the Secretary-General of the Sudan People's Liberation Movement-North in Addis Ababa in May 2016 to discuss access to territories under their control for monitoring and humanitarian purposes, as well as the possibility of signing an action plan to end and prevent recruitment and use of children. In collaboration with UNICEF, discussions continued following the meeting. Lastly, interaction between the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the Justice and Equality Movement led to the signing of a command order prohibiting the recruitment and use of children in September 2015.

Peace process in Colombia

42. In May 2015, the Special Representative was requested to play an active role in the peace talks between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP), when the parties invited her as the first high-level United Nations representative to visit Havana.

43. Within the framework of the peace talks, which started in 2012, historic steps were taken, such as the signing of a milestone agreement on the peace agenda item related to victims in December 2015. That partial agreement foresaw the creation of a comprehensive system of truth, justice, reparation and non-repetition for victims. In June 2016, the parties signed a ceasefire agreement, inviting the United Nations to take part in a tripartite mechanism to monitor and verify the commitment.

44. With regard to the recruitment and use of children, following the February 2016 announcement by FARC-EP that they would stop recruiting children under the age of 18, an agreement was reached between the Government of Colombia and FARC-EP on 15 May 2016. The agreement includes the development of a protocol for the immediate separation of children under 15, a road map and a comprehensive programme for the reintegration of all children under 18, with the United Nations acting in support of the process as an observer and guarantor.

45. Following discussions between the Special Representative and the parties on the issue of the end of recruitment and the separation of children associated with FARC-EP, and with the support of the guarantors, Norway and Cuba, UNICEF and the Resident Coordinator, FARC-EP focused on the benefits of adherence to child protection norms ratified by Colombia and the consequences of violations. The agreement on children includes core principles put forward by the United Nations during the discussions with the parties, including treating separated children primarily as victims and prioritizing the best interests of the child in the reintegration process.

46. The Colombian peace process demonstrates that perseverance and a committed search for compromise by parties can lead to tangible results and bring peace. A thorough assessment of the inherent challenges has been essential to obtaining commitments and reaching agreement on protecting children. In other peace attempts, spoilers and paramilitary violence caused the failure of the processes on multiple occasions. The effective implementation of guarantees of non-repetition and safety and security will be critical to overcome such spoilers. The parties'

holistic approach to the release and reintegration of children is also an important development. The agreement's successful implementation will be an important signal to parties in other protracted conflicts that dialogue can lead to concrete results for the protection of children.

IV. Raising global awareness and mainstreaming

A. Field visits

47. Field visits remain a central aspect of the Special Representative's activities and were undertaken to Cuba (November 2015 and May 2016), Afghanistan (February 2016), the Sudan (March 2016) and Somalia (July 2016).

Cuba, for the Colombia peace process

48. As noted in paragraph 42, the Special Representative was invited to visit Havana in November 2015 to follow up on commitments made during her first visit in May 2015. Through engagement with the negotiating parties and facilitators, the Special Representative advocated for the prioritization of the release and reintegration of all under-aged children associated with the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo, and for the need to put in place guarantees of non-repetition to prevent re-recruitment by other armed actors.

49. In May 2016, the Special Representative was invited to witness the signing of the agreement on the separation of children under 15 years old from the camps of FARC-EP and commitment to the development of a road map for the separation of all other minors and a comprehensive special care programme (Joint Communique #70 on minors). In her declaration at the announcement ceremony, the Special Representative welcomed the parties' perseverance and commitment to bringing protection and peace to the children of Colombia.

Afghanistan

50. From 13 to 17 February 2016, during a visit to Afghanistan, the Special Representative engaged in high-level dialogue with the Government to support the implementation of the action plan to end and prevent the recruitment and use of children by the Afghan National Security Forces and the road map to compliance agreed in August 2013. She also met with key partners, such as the North Atlantic Treaty Organization (NATO), the diplomatic community and civil society.

51. The Special Representative was encouraged by the political will and commitment of the Government to fully implement the action plan. She had the opportunity to visit a child protection unit at the Afghan National Police recruitment centre in Herat province, which prevented the recruitment of 211 children in 2015. Since her visit, a further child protection unit has been inaugurated, bringing the total to seven nationwide. The Special Representative also had open discussions with the Government about remaining challenges, including ensuring systematic implementation of instruments and mechanisms to prevent child recruitment; strengthening oversight and control of recruitment by the Afghan Local Police; pursuing accountability to prevent future recruitment and use; and providing reintegration programmes and alternatives for children.

52. The Special Representative also raised with the Government the issue of detention of children on national security-related charges, including for association with non-State armed groups. The Special Representative visited a juvenile rehabilitation centre in Herat and met children held in detention on security-related charges. In relation to the protection of schools and hospitals, the Special Representative noted with concern the increasing attacks on those facilities. She welcomed the Government's signature of the Safe Schools Declaration in May 2015, and encouraged the Government to take measures to prevent the military use of schools. She also raised with authorities the practice of *bacha bazi*, the sexual exploitation and abuse of boys by men in positions of power, including in the Afghan National Security Forces, and emphasized the need to criminalize acts of sexual abuse against children.

The Sudan

53. The Special Representative visited the Sudan from 27 to 30 March 2016 to witness the signing of an action plan to end and prevent recruitment and use of children by Government security forces and engage with the Government of the Sudan on the protection of children. The Special Representative witnessed commitment from Government officials and emphasized that it should be demonstrated during the implementation of the action plan. She emphasized that accountability for grave violations should be pursued and underlined that access by the United Nations to conflict-affected areas and populations was critical for the success of the action plan. In addition, the Special Representative was given access to 21 children detained by the National Intelligence Security Services since April and August 2015 for their alleged association with the Justice and Equality Movement. She advocated for continued access by the United Nations to the children and release and reunification with their families. Unfortunately, at the time of writing in July 2016, the children continued to be held in detention far away from their families.

Somalia

54. From 16 to 21 July 2016, during her second visit to Somalia, the Special Representative engaged in a high-level dialogue with the Government to assess the implementation of the action plan to end and prevent the recruitment and use and killing and maiming of children by the Somali National Army. The Special Representative urged the authorities to fully implement their action plan, particularly to ensure that no children entered the Army in the context of the integration of regional militia groups. She also engaged with the African Union Mission in Somalia (AMISOM) to discuss the vital role it should play in protecting children and raising allegations of violations committed against children by their contingents.

55. The detention of children for their association with Al-Shabaab was identified as a concern during the Special Representative's previous visit to Somalia in August 2014. The release and handover to child protection actors of children detained in Serendi and Hiil-Walaal and of children captured in Galmudug were steps in the right direction. Nevertheless, the Special Representative remains concerned about the lack of transparency and oversight in the classification of children held on national security charges and the plight of those children classified as high risk. The lack of a clear legal framework for children detained on security charges and the absence of international juvenile justice standards are also significant concerns.

During the visit, the Special Representative encouraged the diplomatic community to prioritize these issues in their bilateral relations with the Government.

56. In Puntland, the Special Representative met with the children captured in March by regional forces and detained since that date for their alleged association with Al-Shabaab. The Special Representative expressed her alarm that children under 18 continued to be held in detention in Puntland for their association with Al-Shabaab and that 12 of them had even been sentenced to death under the same charges. While the Puntland authorities assured the Special Representative that children under 18 years old would not be executed, federal and regional authorities must swiftly resolve all existing legal ambiguities and clearly domesticate the country's international obligations under the Convention on the Rights of the Child.

B. Working with regional organizations

African Union

57. The strong partnership between the Special Representative and the African Union continued, and she participated in the annual African Union high-level retreat for special envoys and mediators, held in Namibia in October 2015 (see para. 23). The Special Representative also briefed the African Union Peace and Security Council in Addis Ababa in May 2016 at the Council's third open session dedicated to children affected by armed conflict, convened under the chairmanship of Botswana, which focused on the theme of the protection of schools. During the session, the Special Representative received strong support from all members of the Council who backed the "Children, not soldiers" campaign and made commitments to protect schools and hospitals, including refraining from military use. In June 2016, the Office of the Special Representative participated in a workshop aimed at supporting the development of a human rights compliance framework for African Union peace support operations. Lastly, the issue of violations attributed to contingents of AMISOM was discussed on a number of occasions during the reporting period.

European Union

58. The Special Representative continued to strengthen her partnership with the European Union, which is a key interlocutor who engages in human rights dialogue and capacity-building with the majority of countries on the children and armed conflict agenda. In January she addressed the European Parliament Subcommittee on Security and Defence during an interactive session in which views and information were exchanged on the impact of armed conflict on children and the challenges of reintegration and for Common Security and Defence Policy missions related to children and armed conflict.

League of Arab States

59. Pursuant to the cooperation agreement between the League of Arab States (LAS) and the Office of the Special Representative signed in 2014, the Special Representative and the Secretary-General of LAS sent a joint communication in September 2015 to the five LAS members who are not parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in order to advocate for ratification. The Office also participated in the twelfth United Nations-LAS sectoral meeting on human rights in

October 2015, and the general cooperation meeting between the United Nations and LAS in May 2016.

North Atlantic Treaty Organization

60. The Special Representative engaged with NATO with a view to deepening the partnership on the issue of children and armed conflict. In January 2016 in Brussels, the Special Representative met with the incoming Assistant Secretary General for Operations and the Deputy Secretary General to discuss ways to further strengthen the protection of children in NATO-led operations. She also briefed the Operations Policy Committee and underscored the responsibility and role of NATO in protecting children in armed conflict.

61. During the Special Representative's visit to Afghanistan in February 2016, she met with the Commander of the NATO Resolute Support Mission and the NATO Senior Civilian Representative to voice concerns about rising child casualties and advocate for the appointment of an adviser on children and armed conflict within the Resolute Support Mission in Afghanistan. The position was filled in May 2016.

62. The Office also contributed to the development of NATO policies and guidelines on children and armed conflict. The Office attended the NATO-United Nations staff talks, held in March 2016, during which potential opportunities for training NATO focal points were explored.

C. Building support with civil society organizations

63. Building relationships and cooperating with civil society organizations, including academia, is a key priority and during the reporting period the Special Representative met regularly with non-governmental organizations working on the protection of children. In particular, she worked with non-governmental organizations to support the Safe Schools Declaration, and spoke at events organized by the Global Coalition to Protect Education from Attack in December 2015 in Geneva, in May 2016 in Addis-Ababa and at a Human Rights Watch event in The Hague, also in May. In addition to engagement with New York-based non-governmental organizations, the Special Representative engaged regularly with the Geneva-based non-governmental organization Focus Group on Children Affected by Armed Conflict during the reporting period. Furthermore, she continued to raise awareness of the children and armed conflict agenda with universities, academia and think tanks and interacted in many forums, including the Council on Foreign Relations in February 2016.

D. Building support upon partnerships with United Nations mechanisms

64. The Special Representative continued to foster international cooperation to ensure respect for the rights of children affected by armed conflict. In that regard, she briefed the Security Council Working Group on Children and Armed Conflict on specific country situations to keep Council members abreast of the latest developments pertaining to the mandate. During the 12-month period, country reports of the Secretary-General on children and armed conflict were issued for the Central African Republic and Iraq. On 16 November 2015, the Special Representative briefed the Security Council during the monthly meeting on the

humanitarian situation in the Syrian Arab Republic. The Special Representative also led the preparation of the annual report of the Secretary-General on children and armed conflict, dated 20 April 2016. Pursuant to the adoption of Security Council resolution 2225 (2015), six parties were listed for the abduction of children.

65. At the request of the Security Council, the Special Representative also engaged with sanctions committees to brief them and provide information on grave violations committed against children. In particular, she briefed the sanctions committees concerning the situation in Yemen in September 2015, the Democratic Republic of the Congo in November 2015, the Central African Republic in December 2015, South Sudan in March 2016 and the Sudan in April 2016. In two instances, the briefings were organized by the respective sanctions committees and the Security Council Working Group on Children and Armed Conflict.

66. Regular communication with the Human Rights Council to raise awareness and address violations of the rights of children in situations of conflict continued during the reporting period. At the Human Rights Council in March 2016, the Special Representative presented her annual report to the body. The Office of the Special Representative also contributed to the work of the human rights mechanisms through submissions to the Universal Periodic Review process of the Human Rights Council.

67. The Chair of the Committee on the Rights of the Child and members of the Committee were also key interlocutors to enhance information sharing and to encourage joint advocacy for children affected by armed conflict. The Special Representative advocated with Member States that had not already done so to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. She held bilateral meetings with Member States and actively briefed regional organizations, civil society and regional groups on the matter. During the reporting period, the Optional Protocol was ratified by six Member States, bringing the total number of parties to 165. Myanmar also signed the Optional Protocol during the reporting period, but had yet to ratify it at the time of writing in July 2016. In October 2015, Somalia ratified the Convention on the Rights of the Child.

68. In December 2015, the Special Representative was invited to the launch of a Group of Friends of Children and Armed Conflict in Geneva, which is co-chaired by Belgium and Uruguay. Also in Geneva, she continued to work closely with the International Committee of the Red Cross (ICRC) and participated in the thirty-second international conference of the Red Cross and Red Crescent in December 2015, during which she advocated for greater protection of children in situations of detention in the context of armed conflict.

69. Children and armed conflict concerns were also mainstreamed in such Organization-wide initiatives as the Sustainable Development Goals, the World Humanitarian Summit, the Plan of Action to Prevent Violent Extremism (A/70/674), the implementation of the Secretary-General's recommendations following the report of the High-level Independent Panel on Peace Operations and the enhanced United Nations response to sexual exploitation and abuse. At the World Humanitarian Summit, the Special Representative took part in the high-level leaders' roundtable on upholding the norms that safeguard humanity, where she represented the United Nations and made commitments on behalf of the organization to improve the delivery of humanitarian assistance and to intensify the

monitoring, investigation and reporting of human rights violations and abuses. In July 2016, the Queen of the Belgians and the Special Representative co-hosted an event on the sharing of best practices on psychosocial rehabilitation and social reintegration of children during which the critical importance of appropriate and effective reintegration to avoid re-recruitment by other groups was emphasized.

70. The Office of the Special Representative also contributed to the online course on United Nations human rights responsibilities that was launched in November 2015. In January 2016, the Special Representative participated in the interactive dialogue of the General Assembly on the Human Rights Up Front Initiative.

71. Lastly, there was intensive collaboration with UNICEF and other United Nations entities. The deprivation of liberty for children in situations of armed conflict is an area of concern for the Special Representative, related in particular to responses to violent extremism. In that regard, the Office of the Special Representative worked closely with the United Nations Office on Drugs and Crime (UNODC) and participated in three UNODC workshops with Government officials of countries affected by violent extremism, which were held in Dakar and Amman during the reporting period. The Special Representative also continued to contribute to the initial phase of the in-depth global study on children deprived of liberty, in line with General Assembly resolution 69/157, paragraph 52 (c).

V. Recommendations

72. **The Special Representative urges Member States to ensure that their engagement in hostilities and responses to all threats to peace and security, including in efforts to counter violent extremism, are conducted in full compliance with international humanitarian law, human rights law and refugee law. She also calls upon all parties to conflict to refrain from using explosive weapons with wide-area effects in populated areas, and to consider making a commitment to this effect.**

73. **The Special Representative calls upon Member States and parties to conflict to ensure the protection of hospitals, health-care works and transports, in line with international law. She calls upon the General Assembly to continue to give due consideration to the issue and its impact on children in its resolutions on humanitarian and development issues.**

74. **The Special Representative encourages the General Assembly to highlight the rights of children displaced by conflict and the obligations of States of origin, transit and destination in the high-level meeting to address large movements of refugees and migrants and in its resolutions on country-specific situations and thematic issues.**

75. **The Special Representative calls upon Member States to treat children allegedly associated with non-State armed groups as victims entitled to full protection of their human rights, to ensure that they are not used as spies or for the purposes of intelligence gathering, and to urgently put into place alternatives to the systematic detention of children. The Special Representative urges the General Assembly to take these issues into account and ensure the protection of children in the review of the United Nations Global Counter-Terrorism Strategy.**

76. The Special Representative encourages Member States concerned by the "Children, not soldiers" campaign to redouble their efforts to fully implement their action plans in the coming year, and invites regional organizations, the international community and all relevant partners to provide increased support to the concerned Member States.

77. Recalling that the issue of the reintegration of children is crucial to ensure the long-term sustainability of peace and security, the Special Representative encourages the Member States concerned to take appropriate measures to reintegrate those children, giving special attention to the needs of girls. She also calls on all Member States to provide the necessary political, technical and financial support to reintegration programmes.

78. The Special Representative calls upon the General Assembly to ensure that special attention is paid to children affected by armed conflict in the implementation of the Sustainable Development Goals. In particular, it is important that the General Assembly highlight the need to give adequate resources for education in emergencies during times of armed conflict and holistic support to children disabled during conflict.

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Annual report of the Special Representative of the Secretary-General on Violence against Children

Summary

Pursuant to General Assembly resolution 70/137, the present report of the Special Representative of the Secretary-General on Violence against Children provides an overview of major initiatives and developments to sustain and scale up efforts to safeguard children's freedom from violence. The report builds on the 2030 Agenda for Sustainable Development and its target to end all forms of violence against children, and on the commemoration in 2016 of the tenth anniversary of the submission to the Assembly of the United Nations study on violence against children.

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I. Introduction

1. The present report provides a review of the key developments promoted by the Special Representative at the global, regional and national levels and an overview of results achieved in the protection of children from violence.

2. Guided by General Assembly resolution 62/141, which established her mandate, the Special Representative acts as a global, independent advocate of the prevention and elimination of all forms of violence against children. In its resolution 70/137, the Assembly expressed support for the work of the Special Representative and recommended that the Secretary-General extend the mandate for a further three years and maintain support for the effective and independent performance and sustainability of the mandate, funded from the regular budget.

3. The Special Representative remains strongly committed to accelerating progress in the prevention and elimination of all forms of violence against children and seizing the unique opportunity presented by the implementation of the 2030 Agenda for Sustainable Development. The inclusion in the 2030 Agenda of a distinct target (target 16.2) to end all forms of violence against children is a historic achievement that can galvanize political will and reignite action to build a world free from fear and from violence for all, leaving no child behind.

4. The commemoration of the tenth anniversary of the submission to the General Assembly of the United Nations study on violence against children (see A/61/299) and the twentieth anniversary of the first World Congress against Commercial Sexual Exploitation of Children has given great impetus to the efforts on the 2030 Agenda targets related to ending violence against children. As implementation begins, the year 2016 marks a strategic moment to consolidate the gains that have been made, grasp the lessons learned, redouble efforts to trigger a dynamic process of change and build a world where all children can grow up free from violence.

5. With this in mind, the Special Representative has promoted important processes and mobilization initiatives to strengthen the protection of children from violence around the world with national authorities, United Nations entities, regional organizations, non-governmental and faith-based organizations, the private sector and the media, as well as child-led networks. The year was marked by the adoption of regional plans to prevent and eliminate violence against children and the promotion of significant partnerships to mobilize support for the protection of children. At the national level, important progress was made with the enactment of new legislation to ban violence in all its forms, the adoption of policy frameworks to guide implementation, and the further consolidation of data and research to inform action.

6. One important development was the adoption of World Health Assembly resolution 67.15, in which the World Health Assembly requested the Director General of the World Health Organization (WHO) to develop a draft global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence against children and women, and the release by WHO of INSPIRE, a package of evidence-based strategies to prevent and respond to violence against children.[1] Moreover, a global study on the sexual exploitation of children in travel and tourism[2] was issued to shed light on this

[1] See www.who.int/violence_injury_prevention/violence/inspire/en.

[2] See http://globalstudysectt.org.

phenomenon, reinforce collective efforts to secure the protection of children and fight impunity. In addition, the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse[3] were released to provide conceptual clarity to actions aimed at the protection of children, so as to overcome legal loopholes and address ill interpretations that may put their safety at risk.

7. The Special Representative continued to support important multi-stakeholder initiatives. The WePROTECT Global Alliance to End Child Sexual Exploitation Online is one such initiative that has secured high-level commitment from Governments, the information and communications technology industry, international organizations and civil society to tackling this issue by supporting comprehensive national action on prevention and response, to informing and empowering children and to fighting impunity, including through cross-border cooperation.

8. These illustrative examples show that the recommendations of the United Nations study remain as valid at present as they were 10 years ago, and their continuing potential to promote a quantum leap in global efforts to protect children from violence.

9. The urgency of this cause, however, has not diminished. As a recent study[4] has highlighted, over the past year at least 1 billion children between 2 and 17 years of age, or half of the world's children, endured some form of violence. The true scale may be much larger, as so many incidents remain concealed and unreported.

10. Across nations, child trafficking continues to increase and in some regions more than 60 per cent of victims are children; children involved in exploitative work and slavery-like practices reach countless millions; in developing countries, one in every three girls is married before reaching age 18; and children below 15 years of age represent 8 per cent of victims of global homicides.

11. In addition to domestic and community violence, conflicts affect millions of children and the world confronts the greatest wave of refugees since the Second World War. Children are particularly vulnerable to violence and exploitation in these desperate situations, facing turmoil and distress at every step of the way. Separation from their families, traumatic journeys through unfamiliar terrain, psychological manipulation, physical harassment, sexual abuse, extortion, trafficking or neglect outside transit centres or in transit with no clear destination constitute a daily life shrouded in fear and uncertainty. Violence is a constant risk, including for young people who pretend to be adults to avoid being detained on their journey, as well as for the thousands who fall into the hands of organized trafficking networks.

12. Online abuse and exploitation, bullying and cyberbullying are other top concerns for children around the world. Whether verbal, psychological or physical, either in schools or outside education facilities, bullying is often associated with discrimination against and stereotyping of children who are in vulnerable situations. In response to these concerns, the General Assembly, in its resolution 69/158, requested the Secretary-General to submit a report on the topic.

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[3] See http://luxembourgguidelines.org/english-version.

[4] Susan Hillis and others, "Global prevalence of past-year violence against children: a systematic review and minimum estimates", *Pediatrics*, vol. 137, No. 3 (March 2016). Available from http://pediatrics.aappublications.org/content/early/2016/01/25/peds.2015-4079.

13. Violence is widespread and pervasive and affects children of all ages. For each child at risk and for countries the world over, the clock is ticking, and for so many children their world is defined by one word: fear.

14. It is imperative that these concerns be addressed, and the 2030 Agenda provides an inspiring vision and a strategic framework with which to move in a positive direction. The new Agenda recognizes the dignity of children and their right to grow up in a violence-free environment as a priority for sustainable development and makes ending all forms of violence against children a universal target to be achieved by 2030.

15. The international community can transform this momentum into an inclusive and unstoppable movement and place the protection of children from violence at the forefront of the policy agenda of every nation.

16. This is the spirit behind the High Time to End Violence against Children initiative, launched by the Special Representative with a wide range of partners at the thirty-first regular session of the Human Rights Council, in March 2016.

17. At the launch, the Secretary-General noted: "Violence can be prevented, and we know how. It is high time to end all forms of violence against children." It is indeed high time to close the gap between the commitments to preventing and addressing violence against children and the action that can translate this goal into a reality for all children, leaving no child behind. It is high time to genuinely address the root causes of violence and promote a culture of respect for children's rights and of zero tolerance of violence. It is high time to mobilize and ignite the passion of all those who can actively engage in the creation of circles of non-violence in children's homes, schools and communities.

18. The High Time to End Violence against Children initiative recognizes the transformative power of leaders from all walks of life and the determination of people to stand up for children and broaden the movement to free all children from violence. In the countdown to 2030, everybody counts and everybody is needed: Governments, international and regional organizations, professional associations, faith-based organizations, the business sector and civil society partners, as well as children themselves.

Box 1
High Time to End Violence against Children

High Time to End Violence against Children is an innovative initiative to raise time and talent and is aimed at stimulating and supporting positive, visible and concrete initiatives designed to ensure the protection of children from violence and reach the targets related to combating violence in the 2030 Agenda for Sustainable Development, especially target 16.2.

Using information and communications technologies, the Internet and social media and inspired by the online crowdsourcing model, the initiative offers a platform for Governments, organizations, professional associations, faith-based organizations, children and adults to express their commitment to children's freedom from violence by creating, joining and supporting circles of non-violence.

As part of this joint effort, an online portal provides information and resources to support and monitor progress in global efforts to end all forms of violence against children. This includes information on the ratification of child rights treaties, national legislation to ban all forms of violence, national strategies to prevent and respond to violence against children, data surveys to monitor progress, and child-sensitive mechanisms to address incidents of violence and assist child victims.

United Nations actors, national Governments, regional intergovernmental organizations, civil society organizations, professional networks, the private sector and individuals have signed a pledge identifying concrete commitments to contribute to the movement to end violence against children. Individuals who have joined include Nobel Peace Prize laureates, political leaders, academics, filmmakers, illustrators, chief executive officers in the private sector, young leaders and people around the world who are eager to lend their time and talent to this cause. See www.violenceagainstchildren.org.

II. Consolidating progress and mainstreaming the United Nations study recommendations in the national policy agenda

19. The year 2016 has been marked by strategic developments in the elimination of violence against children at the global, regional and local levels. Ten years after the General Assembly welcomed the United Nations study on violence against children, the protection of children from violence has evolved from a largely neglected topic into a global concern that at present is included as a distinct target in the 2030 Agenda for Sustainable Development.

20. Acting as bridge builder and global independent advocate of the prevention and elimination of all forms of violence against children, the Special Representative promotes children's freedom from violence in cooperation with United Nations partners, regional organizations, Governments, civil society, academia, professional networks, independent children's rights institutions, religious and community leaders, the private sector, and children and young people.

21. Joining forces with partners, the Special Representative has successfully promoted the mainstreaming of the protection of children from violence in the United Nations policy agenda. This collaborative effort has resulted in groundbreaking standards, action plans, studies and campaigns that in turn have guided regional and national strategies, policies and measures for the prevention and elimination of violence against children.

22. The consistency of this work has made it possible for the international community to share experiences, consolidate knowledge, assess progress and achieve significant results in crucial areas. Step by step, child protection systems are being strengthened around the world. More and more social workers and police, education, health, criminal justice, migration and refugee asylum personnel are being trained in early detection and prevention of and response to incidents of violence and to listen to and follow up on children's testimonies about violence in

their lives. Incrementally, children and their families are gaining access to counselling and legal advice and representation to address incidents of violence.

23. The inclusion of the elimination of violence against children in the 2030 Agenda stems from these converging efforts and results from the sense of urgency generated by the magnitude and impact of the problem and of the evidence proving that there are solutions that work.

24. The agenda of the Special Representative has been guided by four strategic priorities: consolidating progress in and mainstreaming the implementation of the recommendations of the United Nations study; enhancing awareness and consolidating knowledge on violence against children; reinforcing regional processes and national implementation efforts; and addressing emerging concerns. The following significant results have been achieved:

(a) Consolidation of the human rights foundation for protecting children from violence through the launch in 2010 of the campaign for universal ratification of the Optional Protocols to the Convention on the Rights of the Child. This has led to a steady increase in the number of ratifications of the Optional Protocol on the sale of children, child prostitution and child pornography, in force in 173 countries, and to the promotion of new international standards, including the Optional Protocol on a communications procedure; the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization; and the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, adopted by the General Assembly in its resolution 69/194;

(b) Enhanced awareness and consolidated knowledge to prevent and respond to violence against children through international expert consultations, the development of research and the release of thematic studies on strategic topics such as violence in schools and in the justice system, restorative justice for children, the rights of girls in the criminal justice system, and child-sensitive counselling and reporting and complaint mechanisms, as well as reports on the protection of children from harmful practices and from armed violence and organized crime and on opportunities and risks associated with information and communications technologies. Child-friendly materials were also produced to inform and empower children about their right to freedom from violence, most recently in Braille;

(c) Institutionalized processes of regional cooperation for the implementation of the recommendations of the United Nations study with periodic review meetings to assess and accelerate progress; and the hosting of six cross-regional round tables to enhance cooperation towards the prevention and elimination of violence, most recently to inform the development and implementation of regional plans supporting the 2030 Agenda and its targets related to combating violence;

(d) Strengthened national implementation efforts to free children from violence, especially through the adoption and implementation of comprehensive multisectoral national strategies in more than 90 countries, most recently in the Dominican Republic, Ecuador, Ghana, Indonesia, Nigeria and Norway; the enactment of national legislation banning all forms of violence against children in more than 50 countries, most recently in France, Ireland, the Lao People's Democratic Republic, Mongolia, Peru and Viet Nam; and the consolidation of data systems, including through national household surveys in 15 countries in Asia and

Africa, most recently concluded in Cambodia, the Lao People's Democratic Republic, Malawi and Nigeria;

(e) Promotion of global advocacy on neglected areas of concern, supported national implementation efforts and strengthened alliances among Governments, national institutions, civil society and faith-based organizations, academics and children's networks to mobilize action and investment in the protection of children from violence, including by undertaking over 130 missions to more than 60 countries in all regions.

III. Mainstreaming the protection of children from violence in the United Nations agenda

25. Over the past year, the Special Representative continued to support important developments in mainstreaming violence-related concerns in the United Nations agenda. Special emphasis was placed on promoting the implementation of the 2030 Agenda for Sustainable Development and supporting the development of the global study on children deprived of liberty, in addition to supporting the preparation of the report of the Secretary-General on protecting children from bullying (A/71/213), pursuant to General Assembly resolution 69/158.

A. Violence against children: a distinct priority in the 2030 Agenda for Sustainable Development

26. Ensuring the protection of children from violence as a distinct priority and cross-cutting concern in the 2030 Agenda has been a high priority for the Special Representative. The utmost priority will be given to supporting its effective and urgent implementation, with a special emphasis on achieving target 16.2 and other targets related to combating violence.

27. Engaging with children and young people will continue to be a crucial dimension of this process. Children were eager to help shape the 2030 Agenda and remain strongly committed to playing a crucial role in the work ahead as serious partners and agents of change. As they reiterated in two recent regional consultations supported by the Special Representative in South-East Asia and in Latin America, children have a clear vision of the world they want: across all regions, growing up in safety and free from violence is among their top concerns.

28. The inclusion of violence against children as a priority concern in the global development agenda is a historic breakthrough and presents the global community with a strategic opportunity to transform the vision of target 16.2 into a reality for all the world's children. Along with this opportunity, however, comes a special responsibility. Protecting children from violence must not be simply an ideal or become diluted among other concerns.

29. The adoption of the Sustainable Development Goals demonstrates a shared sense of purpose and a renewed impetus to global efforts. In addition, it conveys a heightened sense of urgency to act and ensure that no one is left behind. It is incumbent upon all Governments and other stakeholders to show leadership and to mobilize and inspire action, championing this noble cause in broad alliances and partnerships committed to the cause of freeing children from violence.

30. This is no time for complacency. Around the world, millions of girls and boys of all ages continue to be exposed to appalling levels of violence, in their neighbourhoods, in schools, in institutions aimed at their care and protection and within the home.

31. Violence leaves long-lasting scars on children's lives and often has irreversible consequences on their development and well-being and on their opportunities to thrive later in life. It also weakens the very foundation of social progress, generating huge costs for society, slowing economic development and eroding nations' human and social capital.

32. Nevertheless, this is not their fate. Through enhanced cooperation and with serious investment in proven strategies for violence prevention, violence can become part of the distant past.

33. The new 2030 Agenda for Sustainable Development is global and universal and has the unique potential to bring gains to all parts of the world.

34. More importantly, it concerns all children. It is indeed critical to invest in children to achieve inclusive, equitable and sustainable development for present and future generations.

35. The value and success of the 2030 Agenda will be measured by the tangible progress made in implementation on the ground, especially for those furthest behind, the most invisible and forgotten children, who are often also the most at risk of violence, abuse and exploitation. It is imperative to promote the adoption and implementation of a comprehensive and cohesive nationally owned sustainable development strategy that is supported by predictable resources, informed by solid evidence and robust, reliable and disaggregated data and reviewed through an open, inclusive and periodic assessment of progress using internationally agreed benchmarks.

36. The 10 years of implementation of the recommendations of the United Nations study on violence against children provide a solid basis on which to build. An increasing number of States have promoted awareness and social mobilization initiatives on this topic and adopted legislation and national plans of action to prevent and respond to violence, along with mechanisms to collect and analyse data to inform planning, policy and budgetary decisions, as well as for monitoring and evaluation.

37. Regional organizations and institutions have become crucial players in these efforts. Some, such as the Association of Southeast Asian Nations (ASEAN) and the Council of Europe, have already adopted new regional plans on violence against children aligned with the 2030 Agenda. Others, such as the League of Arab States, the South Asia Initiative to End Violence against Children and the High-level Authorities on Human Rights of the Southern Common Market (MERCOSUR) are promoting similar efforts.

38. Still, such progress, however significant, needs to be further consolidated. The protection of children from violence cannot be an afterthought. The implementation of the 2030 Agenda requires strengthened partnerships and the mobilization of significant resources. Broad global alliances uniting Governments, civil society, community and religious leaders, the private sector, international organizations and all other actors, including children themselves, are crucial to advancing this process.

In addition to the High Time to End Violence against Children initiative, the Special Representative has strongly supported the establishment of significant initiatives promoted with this aim, including the Global Partnership and the Fund to End Violence against Children, SDG Alliance 8.7 to end child labour and the Global Partnership on Children with Disabilities.

Box 2
Global Partnership and Fund to End Violence against Children

The Secretary-General launched the Global Partnership and the Fund to End Violence against Children in July 2016 to help to realize the vision of the 2030 Agenda for Sustainable Development of a world where all children live in peace.

The Special Representative serves on the Board guiding the implementation of the Global Partnership strategy and, through her global advocacy role, will continue to promote the shared mission of making the world a safe place for children and ending violence against children everywhere. As highlighted by the Special Representative at the third International Conference on Financing for Development, held in Addis Ababa, and the United Nations summit for the adoption of the post-2015 development agenda, held in New York, the Global Partnership has a strong potential to harness collective efforts to promote steadily growing commitment and action towards a world free from violence and to generate the consistent funding needed to create a world in which every child grows up free from fear and from violence.

The Global Partnership seeks to enhance political will to reach the Sustainable Development Goal targets on ending violence against children, accelerate action through the implementation of key interventions and strengthen collaboration among a wide range of stakeholders. The new Fund linked to the Global Partnership is planned to provide catalytic funding for the Partnership's goals and to make a strong investment case for the prevention of violence against children.

39. The roots of violence against children are multifaceted, and preventing and eliminating it requires a multisectoral and integrated approach. Indeed, violence goes hand in hand with vulnerability and deprivation, with high risks of poor health, poor school performance and, at times, long-term dependence on public assistance. Children exposed to violence, whether at home, in schools, in the community, at work, in care and justice institutions or online, are at greater risk of enduring cumulative acts of violence and engaging in aggressive and violent behaviour later in life.

40. Achieving the Sustainable Development Goal targets, especially those related to ending poverty and child labour, addressing gender inequality and harmful practices and promoting health and education, access to justice and accountable and inclusive institutions, will help to reduce the risk of violence in children's lives and provide effective responses for victims. Conversely, failing to end violence against children will compromise social progress and the realization of the vision of sustainable development.

41. Ensuring progress towards the Sustainable Development Goal targets related to combating violence, especially target 16.2, requires effective accountability and monitoring mechanisms at the national, regional and global levels. This is a priority concern for the Special Representative, who has promoted their consideration by the Human Rights Council, especially through its universal periodic review and special procedures; by treaty bodies' monitoring and reporting processes; and by the voluntary national reviews of the high-level political forum on sustainable development. To support the follow-up and review of the 2030 Agenda, she is also actively engaged in the development of global monitoring indicators and in the promotion of monitoring tools and methodologies.

42. As the central platform for follow-up and review of the 2030 Agenda, the high-level political forum on sustainable development is critical to ensuring that violence against children is at the heart of the Sustainable Development Goals implementation process. The theme of the high-level political forum in 2016, "Ensuring that no one is left behind", is of particular relevance for children who are exposed to violence. Many of these children suffer in silence, loneliness and fear and are too often left behind in gaining access to appropriate care and support services to overcome their trauma, in benefiting from recovery and reintegration and in developing to their full potential. These were key concerns that the Special Representative raised in her contribution to the 2016 *Global Sustainable Development Report*.

43. National Sustainable Development Goal reviews are a crucial contribution to ensuring investment in children and building a world in which every child grows up free from violence. The Special Representative is strongly committed to supporting the Sustainable Development Goals national review process, which has been high on the agenda of her field missions and was a central dimension of her 2016 cross-regional round table with regional organizations and institutions. The experience gained from the first set of national voluntary review reports will provide strategic input to future reporting, follow-up and review of the 2030 Agenda implementation.

44. The identification of robust indicators on the prevalence and severity of children's exposure to violence is another critical dimension of the Special Representative's advocacy efforts and is crucial to capturing the magnitude and impact of violence on children and to assessing progress towards reaching the Sustainable Development Goal targets related to combating violence, especially target 16.2. As a member of the Inter-Agency and Expert Group on Sustainable Development Goal Indicators, she strongly advocated the inclusion of three indicators on children's exposure to sexual, physical and emotional violence, which were later adopted by the Statistical Commission.

45. The Special Representative recognizes the difficulties in collecting data on these areas due to the hidden and sensitive nature of violence against children. To overcome these challenges, she advocates the development of data collection methodologies and tools to strengthen national capacities and monitoring efforts, which can be achieved through wide consultations involving a broad range of stakeholders within and beyond the United Nations system, a process that she remains committed to supporting.

B. Supporting the global study on children deprived of liberty

46. As implementation of the 2030 Agenda starts, countless children are being left behind, including those deprived of their liberty. Children in vulnerable situations, including those who have run away from domestic violence, those who live on the street and those who are victims of trafficking, prostitution, organized crime or conflict situations, are at special risk. Still others may end up in detention as a result of mental health and drug abuse or because of their status as migrants or asylum seekers.

47. Held in closed institutions, psychiatric centres or adult prisons or awaiting trial for long periods of time, these children often lack genuine opportunities to gain access to justice and to challenge the legality of their detention or to benefit from education and vocational training and long-lasting social reintegration. While deprived of liberty, children are at heightened risk of violence, including harassment, sexual abuse and torture. They may also be subjected to violence as a form of discipline, punishment or sentencing.

48. Responding to these serious concerns, the General Assembly, in its resolution 69/157, invited the Secretary-General to commission an in-depth global study on children deprived of liberty including good practices and recommendations for action and to submit the conclusions of the study to the Assembly at its seventy-second session. In the resolution, it was stated that the study should be funded through voluntary contributions and conducted in close cooperation with relevant United Nations agencies and offices and in consultation with relevant stakeholders, including Member States, civil society, academia and children. The study will help to consolidate data and sound evidence to inform policy and law, develop capacity-building initiatives for professionals and promote a change to stigmatizing attitudes and behaviour towards children in detention.

49. On 20 November 2015, Universal Children's Day, the Secretary-General urged Member States and others to support the coalition of United Nations actors that had come together to assemble resources and expertise to take the study forward.

50. In its resolution 70/137, the General Assembly encouraged Member States, United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study.

51. The study is a high priority for the mandate of the Special Representative, and she has facilitated the initial coordination and planning efforts in the lead-up to its development, in partnership with the Special Representative of the Secretary-General for Children and Armed Conflict, the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees and the Committee on the Rights of the Child. To prepare the ground, the Special Representative has spearheaded efforts to establish an institutional framework, including a United Nations inter-agency task force, a civil society forum and a cross-regional academic research network.

52. To mobilize political support and funding for the development of the study and identify strategic opportunities and processes upon which it can build, the Special Representative has consulted with Member States, United Nations entities, treaty bodies and special procedures of the Human Rights Council, civil society

organizations, regional human rights mechanisms, independent human rights institutions and academic institutions.

53. The major preparatory tasks for the study have been advanced in coordination with United Nations partners and in cooperation with other strategic stakeholders, with a view to further defining the study's scope and developing a fundraising initiative to mobilize the resources required for its effective development.

54. The Special Representative remains strongly committed to the further advancement of the global study, including through initiatives promoted in the framework of her mandate. Section IV below addresses one such initiative on the monitoring of places where children are deprived of liberty.

C. Reinforcing regional processes to enhance the protection of children from violence

55. Cooperation with regional organizations and institutions has been a cornerstone of the Special Representative's strategy to accelerate progress in the protection of children from violence. Regional organizations and institutions are strategic allies in initiatives to prevent and eliminate violence, and their institutionalized cooperation with the Special Representative has been instrumental in placing violence against children at the heart of the regional policy agenda, enhancing the accountability of States and supporting national implementation efforts.

56. As part of this process, eight high-level regional consultations have been held in South and Central America, the Caribbean, South Asia, the Pacific, Europe and the Arab region; six regional monitoring reports have been issued and periodic review meetings held to assess and accelerate progress; and six cross-regional round tables have been hosted to enhance cooperation and consolidate progress towards children's freedom from violence.

57. As a result, regional commitments have been strengthened and are currently being aligned with the 2030 Agenda through the adoption of new regional plans on violence against children. In turn, these efforts have been translated into the strengthening of national legal standards and public policies, the consolidation of research and monitoring tools and the promotion of campaigns to support, stimulate and monitor progress in the protection of children from violence.

58. In order to consolidate this cooperation and accelerate progress in freeing children from violence, the Special Representative organizes an annual round table with regional organizations and institutions. This high-level forum is a strategic mechanism in the framework of the United Nations to engage in policy dialogue; share knowledge and good practices; promote cross-fertilization of experiences; coordinate action and enhance synergies; identify trends and pressing challenges; and join forces to strengthen the safety and protection of children.

59. In May 2016, the Special Representative co-hosted the sixth annual cross-regional round table with the Council of the Baltic Sea States in Stockholm. The meeting addressed the role of regional organizations and institutions in supporting implementation of the 2030 Agenda and in mobilizing efforts to reach targets related to combating violence, including target 16.2.

60. The round table provided a strategic platform for sharing experiences on the development of regional strategies aligned with the 2030 Agenda and implementation actions foreseen. Critical attention was paid to strategies to support the mainstreaming of the targets related to combating violence in national and subnational plans and the development, where appropriate, of regional and national goals and targets. The role of regional organizations and institutions in mobilizing their member States to address violence against children in their voluntary national reviews to the high-level political forum on sustainable development was also stressed, as was cooperation with other regional entities in review processes. Support for peer learning and participatory processes in the national assessment of progress through the round table and other platforms was encouraged.

61. At the meeting, participants welcomed the important regional initiatives already promoted to spearhead this work, particularly through the incorporation of measures to combat violence against children into regional actions plans and the alignment of these regional plans with the 2030 Agenda, and providing support to national implementation efforts to prevent and address this phenomenon. As noted by the participants, these efforts are of utmost urgency to overcome the persistence, pervasiveness and severity of violence against children.

62. Recognizing the strategic opportunity presented by the 2030 Agenda and the tenth anniversary of the United Nations study, regional organizations and institutions reaffirmed their strong commitment to further accelerating and assessing progress in eliminating violence against children and to reinforcing cooperation. Strategic actions envisaged include providing support to the development and implementation of regional plans aligned with the 2030 Agenda; mobilizing partnerships and strengthening the implementation of comprehensive national strategies for the prevention and elimination of violence; enacting and enforcing national legislation to ban all forms of violence against children; and enhancing data systems and supporting the follow-up and review process of the 2030 Agenda through strong accountability mechanisms at the national and regional levels.

63. Similarly, within regions, significant developments have been promoted and concrete results achieved to protect children from violence.

64. In Africa, the Special Representative has further pursued her cooperation with Member States, institutions and other partners. This collaborative framework is built on the global launch of the *African Report on Violence against Children* in February 2015 and was strengthened at an African Union conference held in Addis Ababa in November 2015. On the occasion of the commemoration by the African Committee of Experts on the Rights and Welfare of the Child of the twenty-fifth anniversary of the African Charter on the Rights and Welfare of the Child, the Special Representative, together with UNICEF and the African Child Policy Forum, presented a review of regional progress in the implementation of the recommendations of the United Nations study on violence against children with a vision of building an Africa fit for its children.

65. The conference highlighted progress, challenges and opportunities to promote freedom from violence as part of wider efforts to achieve the African Union's Agenda 2063. The outcomes of the discussion informed the development of Africa's Agenda for Children 2040, which includes a core goal to end violence against children. These developments provide significant impetus for the implementation of the 2030 Agenda. Africa's Agenda for Children presents measurable goals and

priority areas to which the African Union and its Member States commit themselves for the next 25 years.[5]

66. As noted in the *African Report on Violence against Children*, significant efforts are needed to address violence in the region, including through gender-sensitive data collection and analysis to track prevalence and trends. These actions can build upon significant achievements made across the region to prevent and address this phenomenon.

67. Indeed, a number of countries are strengthening their national child protection systems and have undertaken comprehensive surveys on violence against children to document the magnitude, nature and impact of physical, sexual and emotional violence in childhood. Information from the surveys has supported government advocacy, policy, planning and budgeting, as well as the enactment of legislation, including with a view to combating child marriage.

68. Seven countries in Africa have completed comprehensive surveys on violence against children, namely Kenya, Malawi, Nigeria, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe. These are to be followed by Botswana, Côte d'Ivoire, Mozambique, Rwanda and Uganda.

69. In February 2016, the Special Representative supported the launch of the results of the Nigeria survey, conducted by the Government in cooperation with UNICEF and the Together for Girls partnership. Nigeria was the first country in West Africa to conduct such a large-scale national survey. In response to its findings, the Year of Action to End Violence against Children was launched, along with a call to action for federal and state ministries and agencies, non-governmental organizations, faith-based organizations, the media, communities, parents and children to join together to prevent and respond to violence against children.

70. In the United Republic of Tanzania, a survey conducted in 2011 had informed the development of a national action plan to end violence against children, which ended in June 2016. Building upon the lessons from the plan's implementation process, the Government issued a new plan for the period 2016-2021 addressing violence against women and children and promoting a unified national protection system to be implemented in line with the 2030 Agenda, particularly targets 5.2 and 16.2.

71. The First African Girls' Summit on Ending Child Marriage in Africa was held in Lusaka in November 2015. Hosted by the African Union and the Government of Zambia, the Summit gathered Heads of State and Government, ministers responsible for gender and children, United Nations entities, development partners, civil society organizations and religious and traditional leaders, as well as young people who have experienced child marriage. The participants took stock of the progress made to end child marriage across the continent, shared evidence and good practices and renewed their commitment to bringing an end to this and other harmful practices in Africa.

72. The Special Representative will further enhance her collaboration with the African Union, the Special Rapporteur of the African Union on Child Marriage and other partners with a view to the swift implementation of the plan of action for the implementation of the African Common Position on the African Union Campaign to

[5] See www.acerwc.org/ourevents/africas-agenda-for-children-2040.

End Child Marriage in Africa, as well as the Model Law to end child marriage in Southern Africa,[6] which will be of crucial importance to advancing implementation of target 5.3.

73. Developed by the Southern African Development Community Parliamentary Forum, the Model Law has the potential to inform action to end child marriage. This is an area where incremental progress is being achieved, for example with recent legislative developments in the Gambia and the United Republic of Tanzania. In 2015, Malawi adopted the Marriage, Divorce and Family Relations Act, which raised the minimum age of marriage to 18 years. The social mobilization around that process and the important partnership developed with traditional leaders helped to raise awareness of the new law and achieve important results, including a landmark initiative led by a female traditional chief that resulted in the initial annulment of 330 child marriages in a single district and since then has broken up 850 child marriages and banned the sexual initiation of girls.

74. Advocacy efforts and policy discussions promoted by the Special Representative at the international level and important resolutions adopted by the Human Rights Council[7] and by the African Commission on Human and Peoples' Rights[8] have led to significant results over the past year in promoting the rights of persons with albinism, including their protection from violence. This includes the decision of the General Assembly to proclaim 13 June as International Albinism Awareness Day to raise awareness with regard to persons with albinism and the appointment of an Independent Expert on the enjoyment of human rights by persons with albinism.

75. This topic will figure prominently in the Seventh International Policy Conference on the African Child, to be hosted by the African Child Policy Forum in Addis Ababa in November 2016. The Conference will focus on the protection of children from violence, with a special emphasis on criminal acts of violence against children, and will count on the participation of African Heads of State and Government; civil society, religious and traditional leaders from across the region; leading experts on children's rights; academic institutions; the media; and children and young people.

76. In Latin America, the Special Representative joined a session of MERCOSUR devoted to the protection of children from violence and the implementation of the 2030 Agenda. Member States welcomed the High Time to End Violence against Children initiative, which is being mainstreamed into the regional strategy of follow-up to the United Nations study recommendations, and reiterated the urgency of investing in the prevention of violence, including by addressing its root causes and overcoming attitudes and behaviour that condone violence against children.

77. In the context of her collaboration with the Permanent Committee of the "Niñ@sur" Initiative of MERCOSUR and the Global Movement for Children in

[6] See www.girlsnotbrides.org/sadc-model-law-one-step-closer-to-ending-child-marriage-in-southern-africa.

[7] See Human Rights Council resolutions 23/13 on attacks and discrimination against persons with albinism, 24/33 on technical cooperation for the prevention of attacks against persons with albinism and 26/10 on International Albinism Awareness Day. See also the OHCHR report on persons with albinism (A/HRC/24/57).

[8] See resolution 263 of the African Commission on Human and Peoples' Rights on the prevention of attacks and discrimination against persons with albinism.

Latin America and the Caribbean, the Special Representative organized with the Government of Uruguay a regional consultation with children on bullying and cyberbullying. Held in Montevideo in May, the consultation included young participants from Argentina, Bolivia (Plurinational State of), Chile, Colombia, Ecuador, El Salvador, Honduras, Paraguay, Peru and Uruguay and provided a significant platform for young people to make recommendations for the report of the Secretary-General on protecting children from bullying.

78. Children reflected on their perceptions and experience of bullying and cyberbullying, discussed its root causes and identified strategic measures for prevention and response. They recognized the particular challenges faced at school, in the school bus and online, while highlighting that bullying was often part of a painful continuum of children's exposure to violence, stating:

> Listen to our voice: violence hurts and it lasts ... Urgent action is needed to stop it; violence does not teach good behaviour; being a good model and promoting non-violence convey a good example for our lives; use dialogue and mediation before you let violence occur! Help us learn about prevention and our rights; help those who care for us so that they can help us better; and don't forget: legislation is important and everyone needs to know it and respect it.

79. In East Asia, the Special Representative's support for national implementation efforts has contributed to significant results, including the recent enactment of legislation to protect children from all forms of violence in the Lao People's Democratic Republic, Mongolia and Viet Nam; the development of surveys to capture the magnitude and incidence of violence against children in the Lao People's Democratic Republic and the Philippines; and the promotion of policy agendas on violence against children in Indonesia and the Lao People's Democratic Republic.

80. At the twenty-seventh ASEAN Summit, held in Kuala Lumpur in November 2015, ASEAN member States adopted the Regional Plan of Action on the Elimination of Violence against Children (2016-2025). The Plan builds upon the 2013 Declaration on the Elimination of Violence against Women and Elimination of Violence against Children in ASEAN, which was a landmark in the global effort to establish a regional agenda on violence against children.

81. The Regional Plan of Action is aligned with the 2030 Agenda and provides a powerful example of how regional cooperation can support national action on ending violence against children and contribute to the achievement of the Sustainable Development Goal targets related to combating violence. The Plan proposes concrete actions within a realistic time frame, including the promotion of non-violent approaches to child discipline; the deinstitutionalization of children; the protection of children from online abuse; the promotion of child-friendly justice proceedings, prevention of deprivation of liberty of children and promotion of alternatives to detention; and awareness-raising campaigns to break the invisibility of violence and secure the protection of child victims.

82. Since the adoption of the Regional Plan of Action, the Special Representative has been active in promoting its implementation in collaboration with the ASEAN member States and secretariat and with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children. In February, in a joint meeting held in Jakarta, the Commission expressed its commitment to the High Time to End

Violence against Children initiative to galvanize political will and mobilize wide social support and action towards the implementation of the Regional Plan of Action.

83. During the Special Representative's mission to East Asia in June 2016, the Government of Viet Nam hosted a joint meeting of ASEAN senior officials of ministries of social welfare and development and the Commission, which will conduct an annual review of the implementation of the Regional Plan of Action based on reporting by ASEAN member States. The meeting helped to further advance national implementation of the Regional Plan of Action and build upon the High Time to End Violence against Children initiative in raising awareness and spurring action towards ending violence against children in ASEAN member States.

84. Guided by the same concern of advancing national implementation of the Regional Plan of Action and global progress in implementing the 2030 Agenda, the Special Representative met with the East Asia and Pacific Regional Working Group on Child Protection, composed of United Nations entities and civil society organizations, and with senior officials of the Ministry of Social Development and Human Security of Thailand on enhancing knowledge on the protection of children's rights, including freedom from violence.

85. As part of her commitment to strengthening child participation and engagement with children around the world, the Special Representative was a keynote speaker at the fourth ASEAN Children's Forum, hosted by the Government of Viet Nam in June.

86. The ASEAN Children's Forum provided a strategic platform for children from across ASEAN to reflect together on key concerns facing children and young people in the region and to propose recommendations to strengthen the protection of children from violence, secure online safety and fight trafficking.

87. In the open debate held with child representatives, the young participants at the ASEAN Children's Forum stressed the urgency for action, especially in relation to the emerging threats posed by online abuse and cyberbullying, and reaffirmed their decisive role as agents of change to bring an end to violence.

88. In March 2016, the Special Representative participated as a keynote speaker in the high-level meeting of the South Asia Initiative to End Violence against Children to review progress made and discuss the implementation of the 2030 Agenda in the region.[9] Significant progress has been achieved during the past 10 years in the institutionalization of the Initiative and in actions taken at the national level to prevent and address violence against children. Building upon these developments and the lessons learned from the 10-year implementation of the recommendations of the United Nations study, participants highlighted the unique momentum provided by the start of the process of implementing the 2030 Agenda to further strengthen the protection of children and to inform the Initiative's new five-year plan. Regional priorities, such as ending sexual exploitation and abuse of children, child labour, harmful practices, including child marriage, corporal punishment and violence in schools, provide a sound basis for aligning regional and country-level action with the implementation of the 2030 Agenda and achievement of the Sustainable Development Goal targets related to combating violence against children.

[9] See www.ecpat.org/wp-content/uploads/2016/07/Report-HL-Roundtable-Meeting-on-SDGs-and-VAC-Colombo.pdf.

89. These important conclusions were endorsed at the fourth ministerial meeting of the South Asia Initiative to End Violence against Children, hosted by the Government of India, which reiterated the important role of the Initiative in promoting progress in the violence against children agenda in South Asia.

90. The Special Representative's collaboration with the Council of Europe has been crucial to strengthening children's freedom from violence across the region. The Council has been a driver of regional initiatives to promote the implementation of the recommendations of the United Nations study and to support the Special Representative's mandate.

91. In March 2016, the Committee of Ministers adopted the Council's new Strategy for the Rights of the Child (2016-2021), which had been developed with the participation of the Special Representative. Children's freedom from violence is at the heart of the new Strategy and is mainstreamed in actions with regard to the protection of children from online abuse; the promotion of child participation; the development of child-friendly justice; the prevention of the deprivation of liberty and promotion of diversion; and support for equal opportunities for all children.

92. The Strategy is designed to support the implementation of the 2030 Agenda and presents important opportunities to strengthen the Special Representative's cooperation with the Council and to enhance support to member States in their efforts to implement the Sustainable Development Goals and accelerate progress towards reaching target 16.2. This includes supporting the enactment of legislation to ban all forms of violence and establish child-friendly counselling, reporting and complaint mechanisms to address incidents of violence; developing integrated national strategies on the protection of children from violence and identifying strategic indicators to monitor progress towards reaching target 16.2; and supporting the Council of Europe in its role as a clearing house to enable access to sound data and experiences and as a platform for peer support among Governments.

IV. Monitoring places of detention to prevent and address violence against children

93. To mobilize support and evidence for the global study on children deprived of liberty, the Special Representative organized with UNICEF a regional conference on oversight, inspection and monitoring of places where children are deprived of liberty in the framework of the criminal justice system.

94. Leading human rights experts, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, participated at the meeting, as did government representatives, national human rights institutions, UNICEF child protection officers, non-governmental organizations and academics from Argentina, Brazil, Chile, Colombia, Paraguay and Uruguay.

95. At the conference, held in Buenos Aires, participants identified legislative and institutional developments in Latin America and good practices and challenges in the monitoring and inspection of places of detention and in the promotion of

autonomous and independent monitoring mechanisms. The conference also provided an opportunity to review comparable experiences and trends in Europe.[10]

96. The regional conference highlighted the international normative framework adopted in this area and the significant developments promoted in the region.

A. A sound normative framework to guide action

97. The right to liberty and security is a fundamental human right recognized by international legal standards. This is a topic that the Convention on the Rights of the Child also addresses, including in article 37.[11]

98. In stark contrast with these standards, however, thousands of children are detained for long or indefinite periods of time, lacking genuine opportunities to gain access to justice and to challenge the legality of their detention and being neglected in their needs for care, treatment and protection. While deprived of liberty, they may be exposed to violence by other detainees and by staff, including bullying, psychological violence and sexual abuse, as well as corporal punishment, flogging and other forms of inhuman sentencing, alongside the risk of self-harm.[12]

99. According to the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113, annex, para. 11 (b)) and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (article 4 (2)), deprivation of liberty is "any form of detention or imprisonment or the placement of a person in a public or private custodial setting which that person is not permitted to leave at will by order of any judicial, administrative or other authority". Such settings may include police custody, remand detention, imprisonment after conviction, administrative detention, involuntary hospitalization, and institutional custody of children, including children with disabilities and those in need of protection.[13]

100. Children on the move, including refugees, asylum seekers, migrants and victims of trafficking or smuggling may be placed in detention centres or cells in military bases or confined in restricted areas in airports, harbour facilities and islands. They may also be subject to involuntary transportation in vehicles, aeroplanes, boats or other vessels.[14] Girls may be deprived of liberty supposedly for their own protection, including when they are at risk of honour crimes, trafficking or other forms of violence and, while detained, exposed to the risk of further abuse and exploitation.[15]

101. Violence in detention facilities is rarely reported or investigated and often remains unpunished and hidden from external scrutiny. The failure to hold

[10] See www.defenceforchildren.org/wp-content/uploads/2016/02/DCI-Practical-GuideEN.pdf.

[11] See in particular article 37 (b): "No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time".

[12] See A/HRC/21/25.

[13] CCPR/C/GC/35, para. 5.

[14] Association for the Prevention of Torture and Office of the United Nations High Commissioner for Refugees, *Monitoring Immigration Detention: Practical Manual* (Geneva, 2014), p. 29.

[15] See A/HRC/27/48.

perpetrators accountable leads to the perpetuation of violence and a deep sense of impunity.[16]

102. In such situations, children face serious difficulties in obtaining prompt and unhindered access to effective remedies to redress human rights violations that may have occurred, including with a view to securing their protection, enabling the investigation of wrongdoing and the punishment of those found responsible, and benefiting from rehabilitation and reparation actions. This is aggravated by children's fear of harassment, reprisal and stigmatization for speaking out about incidents of violence.[17]

103. To address these concerns, urgent measures are needed. First, it is crucial to empower children with easily understandable, age-sensitive and culturally appropriate information about their rights and relevant procedures to enable them to exercise their right to be heard and to benefit from effective remedies and services for their protection, recovery and reintegration. Moreover, it is indispensable to establish safe, child- and gender-sensitive counselling, complaints and reporting mechanisms to which children can easily gain access to address any incidents of violence or other grievances.

104. Second, strong accountability mechanisms need to be put in place to safeguard children's rights in places of detention, through rigorous oversight, inspection and independent monitoring by competent authorities and institutions to prevent and respond to incidents of violence and to fight impunity.

B. Significant developments in Latin America

105. Following the ratification of the Convention on the Rights of the Child, comprehensive national legal reforms have been promoted in the field of juvenile justice. Despite these reforms, regional organizations and national and international human rights institutions have documented serious violations of children's rights. These include police violence, a widespread and disproportionate use of deprivation of liberty, both as a cautionary measure and as a sanction, overcrowding and unpunished cruel, inhumane and degrading treatment. Furthermore, there are insufficient resources and institutional capacities for the use of restorative justice and of non-custodial programmes to promote children's social reintegration, and mechanisms for the monitoring and oversight of the rights of children deprived of liberty need reinforcement to overcome impunity for incidents of violence against children.

106. Several countries are steadily increasing efforts to address these serious challenges and to establish effective monitoring systems for places of detention to prevent abuses, investigate incidents and assess conditions of detention and children's views and experiences.

107. Complementing existing penitentiary systems of inspection and monitoring, significant autonomous institutions have been set up, within or outside the

[16] Paulo Sérgio Pinheiro, *World Report on Violence against Children* (Geneva, 2006), p. 182.

[17] Najat Maalla M'jid and Marta Santos Pais, "Safe and child-sensitive counselling, complaint and reporting mechanisms to address violence against children", joint report of the Special Representative of the Secretary-General on Violence against Children and the Special Rapporteur on the sale of children, child prostitution and child pornography (New York, 2012), p. 5.

administration, to prevent and identify incidents of violence and other child rights violations; to assess and recommend improvements to conditions of detention and the safeguarding of children's rights; and to review individual complaints.

108. In this process, three different approaches have been followed. In countries such as Argentina, Brazil and Chile, judiciary authorities have a special oversight responsibility over places where children are deprived of liberty as part of their role in executing judicial sentences and in safeguarding children's rights.

109. In other cases, a non-jurisdictional mechanism has been put in place. In Chile, inter-institutional commissions of supervision have been established throughout the country under the auspices of the Ministry of Justice. With the participation of representatives from the judiciary, academia and civil society, as well as UNICEF, the commissions operate by consensus and their recommendations are made public and available online. In Colombia, the National Congress established a commission for the verification of human rights within the juvenile justice system composed of representatives from the Ministries of Justice and Law and of Education, the Colombian Family Welfare Institute and the National Planning Department. In both countries, monitoring tasks include interviews with children.

110. In Argentina, Brazil, Paraguay and Uruguay, pursuant to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, important independent bodies have been set up as national mechanisms for the prevention of torture, at times under the auspices of the national independent human rights institution (in the case of Uruguay). These mechanisms, which are accorded full access to centres of detention, including those where children are placed, conduct periodic and unannounced visits, hold private interviews with children deprived of liberty and issue public reports and recommendations addressed to the authorities.

111. Although they differ in nature, these various institutions are indispensable and mutually supportive in monitoring the premises and conditions of detention, preventing and responding to any risk of violence or other human rights violations and meeting with children and being informed by their views and concerns. These mechanisms are designed to complement and support the national child protection system, as well as other actors whose intervention may be needed for the recovery and reintegration of any child victim of violence.

C. Key recommendations

112. The conference highlighted significant recommendations, both on deprivation of liberty as a measure of last resort and on national monitoring mechanisms for places of detention.

113. As a measure of last resort, deprivation of liberty should never be used as a response to a non-existent or weak national child protection system. When in exceptional circumstances children are lawfully deprived of liberty, their right to challenge the legality of the deprivation of their liberty before a court and to a prompt decision thereon should be respected. The length of their placement must be clearly determined at the time of the decision, and non-custodial alternatives should be strengthened at all stages of the proceedings, including through restorative justice approaches. Moreover, restriction of a child's right to liberty can never be

used as a justification for restricting other rights, such as the right to physical and mental integrity, access to justice and due process, protection from discrimination and enjoyment of the rights to education, health or adequate food.

114. To be effective, national monitoring mechanisms need to have the following:

(a) A legal mandate safeguarding their autonomy and independence: either under the administration or as external institutions, monitoring mechanisms must be established by law and enjoy autonomy and functional, organizational and financial independence, including in the appointment of their members and their financial viability. This is fundamental if the monitoring mechanisms are to pursue their mandate without interference, including on the part of penitentiary authorities overseeing the administration of centres of deprivation of liberty;

(b) Extensive powers to safeguard children's protection and safety: monitoring mechanisms must have clear roles and responsibilities and broad powers defined by law. These include the right to gain access to any place of deprivation of liberty, including through unannounced visits; the right to access any needed information, to request reports before, during and after the inspection and to receive a prompt response; the right to receive complaints directly from children; and the authority to make public the results of their inspections and recommendations, while preventing the public disclosure of information that may place a child at risk. These mechanisms should be provided with sufficient resources to develop their functions with high-quality standards;

(c) A clear human rights mandate to prevent and address any act of torture and other form of violence, as well as to protect the rights of children deprived of liberty, including to good-quality education, adequate physical and mental health and access to due process and to legal safeguards to participate in proceedings;

(d) Age-, gender- and child-sensitive complaints mechanisms to inform their work: easy and safe access by children deprived of liberty to counselling, complaints and reporting systems and to inspection and monitoring mechanisms is crucial. These mechanisms should take children's views and experiences into consideration both to identify and pursue incidents of violence through administrative and criminal investigations and to establish the accountability of perpetrators, and seek children's opinions on the organizational and structural dimensions of detention centres, the quality of programmes and of staff, and the safeguarding of children's rights, which otherwise may go unnoticed;

(e) Access to sound data and standardized qualitative and quantitative monitoring tools, which are essential to inform a precise and objective monitoring system for places of detention, to guide strategic legal and policy reforms and the strengthening of a child-sensitive juvenile justice system, and to safeguard the rights of children deprived of liberty. Qualitative data may include surveys, interviews with children and staff, and individual assessments and recommendations issued from the inspection. Quantitative data include disaggregated information on the number of children deprived of liberty, including on the basis of gender, age and ethnic and national origin, the institutions where they are placed and the reasons for and duration of the deprivation of their liberty, and the types of crimes for which they are considered responsible and the sanctions imposed, as well as information on daily routines, food and disciplinary registries and rehabilitation and reintegration programmes, and on resource allocation and security measures, such

as fire safety protocols. This information should be based on standardized templates and indicators to enable the identification of concerns and monitoring of progress within and between centres of deprivation of liberty.

V. Looking ahead

115. In recent years, the protection of children from violence has evolved from a largely neglected topic into an issue of global concern. Framed by international human rights standards and informed by the United Nations study on violence against children, at present there is strengthened commitment to ensuring children's safety and protection and a growing understanding of the ways in which children are exposed to violence, and significant efforts have been made to mobilize national support for prevention and response and to help to change attitudes and behaviour that condone violence against children.

116. The 2030 Agenda for Sustainable Development promotes an ambitious vision of a world of peaceful, just and inclusive societies which are free from fear and violence, and it includes the elimination of all forms of violence against children as a distinct priority. The beginning of the implementation of this new Agenda during the tenth anniversary of the United Nations study marks the start of the most important countdown: towards a world free from fear and from violence for all children, with no one left behind.

117. It is imperative to seize this historic opportunity to place the protection of children from violence at the heart of the policy agenda of every nation and turn children's vision of a world where fear and violence are part of the distant past into reality.

118. Transformation, talent and time are our watchwords: transformation, because to achieve lasting change, hope must replace despair and confidence supplant distrust. By using technology we can amplify our capacity for action and connect those willing to work for change. The determination and leadership of States, institutions, communities and networks of millions of adults and children who stand ready to join efforts are crucial to this ambitious transformative process.

119. Talent must be placed at the service of our widely shared child rights values and of the violence-free society that we all aspire to build. In the countdown to 2030, everybody counts and everybody is needed to overcome the destructive impact of violence and social exclusion.

120. With regard to time, there can be no complacency: it is imperative to move with a deep sense of urgency. Investing in the prevention of violence, protecting children's lives and futures and saving nations' resources means time gained in the countdown to a brighter future. The opportunity for change is too important to let slip.

121. Guided by the human rights imperative of freeing children from violence, by the evidence gathered over recent years and by the historic opportunity offered by the 2030 Agenda to promote a quantum leap in prevention and response efforts, the Special Representative reaffirms her resolve to mobilize even greater support and action towards a world free from violence against children, in close collaboration with Member States and all other stakeholders, most especially children themselves.